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*RCE*  
*IFW*

PTO/SB/30 (5/2000)  
OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection of Act of 1999 (AIPA)

**Application Number:** 09/830,092

**Filing Date:** June 27, 2001

**First Named Inventor:** Kazutaka SHIBATA

**Group Art Unit:** 1765

**Examiner Name:** Matthew J. Song

**Attorney Docket Number:** AI 264NP

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission Required Under 37 C.F.R. § 1.114

- a.  Previously Submitted
  - i.  Consider the amendment(s) reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other 1 \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

### 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17 (i) required)
- b.  Other \_\_\_\_\_

- 3. **FEES** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
  - a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-0002
    - i.  RCE fee required under 37 C.F.R. § 1.17(e)
    - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii.  Other \_\_\_\_\_
  - b. Check in the amount of \$770 is enclosed
  - c. Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print or Type)	RABIN & BERDO, P.C. Steven M. Rabin	Number	Registration 29,102
Signature	<i>Steven M. Rabin</i>	Date	September 15, 2004

ENCLOSURES 770,  
Please charge any further  
fees to our Deposit Account  
No. 18-0002



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Group Art Unit: 1765  
Examiner: Matthew J. Song

**In Re PATENT APPLICATION Of:**

Applicant: Kazutaka SHIBATA )  
Serial No.: 09/830,092 )  
Filed: June 27, 2001 ) **AMENDMENT AFTER**  
For: SEMICONDUCTOR DEVICE AND METHOD )  
FOR MANUFACTURING THE SAME ) **FINAL ACTION**  
Orig. Doc. No.: ROH-037 )  
New Doc. No.: AI 264NP )  
September 15, 2004

September 15, 2004

**Mail Stop: Fee Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Examiner's Action mailed on June 15, 2004, a Request for Continued Examination (RCE) being submitted herewith, please amend the above-identified application as follows:

**FEE ENCLOSED \$ 7.00**  
Please charge any further  
fee to our Deposit Account  
No. 18-3002